

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3299 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KANJI CHANNA CHAUHAN

Versus

STATE GOVT. OF GUJARAT.

Appearance:

None present for Petitioners

MR DP JOSHI for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 24/10/97

ORAL JUDGEMENT

1. The petitioners, three in number, filed this special civil application and prayer has been made for the direction to the respondents to make them permanent or regular from the date of their respective appointments. Further prayer has been made for giving them the pay in the pay scale of Rs.196-232.

2. The petitioners were appointed on daily wages in

the office of the respondent No.2 i.e. Executive Engineer, Roads and Buildings, Jilla Panchayat, Rajkot. The State Government has extended the benefits of regular pay scale etc. to the daily wagers working in the P.W.D. and who have been appointed on or before 1-10-1988 vide its resolution dated 17th October, 1988. Though this resolution pertains to the daily wagers who have been appointed in P.W.D. of the Government but the petitioners are the employees of the Jilla Panchayat of its section P.W.D. and they are working for last many years as daily wagers and the Panchayat employees have also been given all the benefits which are being given to the Government servant, I consider it to be appropriate to dispose of this special civil application with the direction to the respondent No.1 to consider the cases of the petitioners for giving them the permanency/regularisation as well as the pay in the regular pay scale and all the consequential benefits as are being given to the daily wagers in the P.W.D. of the Government vide resolution dated 17th October, 1988 and this exercise has to be undertaken and completed within a period of three years from the date of receipt of the writ of this order. In case the petitioners are found entitled for the benefits as claimed by them then all the consequential benefits should be given to them within two months next. However, in case the petitioners are not found entitled for any benefits then a reasoned order may be passed and copy of the same may be sent to the petitioners by registered post. It is made clear that in case this exercise has already been undertaken and the petitioners have been given the benefits then this order is not required to be complied with. However, liberty is granted to the petitioners for revival of this special civil application in case of difficulty on filing a simple note. The special civil application and rule stand disposed of in the aforesaid terms with no order as to costs.

zgs/-